

AO 102 (01/09) Application for a Tracking Warrant

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

In the Matter of the Tracking of)
(Identify the person to be tracked or describe)
the object or property to be used for tracking))
A BLACK 2018 JEEP CHEROKEE BEARING OHIO) Case No. 2:21-mj-426
REGISTRATION JBF9271 AND VEHICLE)
IDENTIFICATION NUMBER 1C4PJMCB0JD505613)
AND UTILIZED BY EDDIE SMITH)

APPLICATION FOR A TRACKING WARRANT

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of 21 U.S.C. § 846. Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

- The person, property, or object is located in this district.
 The person, property, or object is not now located in this district, but will be at the time of execution.

- The activity in this district relates to domestic or international terrorism.
 Other:

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

- evidence of a crime;
 property designed for use, intended for use, or used in committing a crime;
 I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:
A BLACK 2018 JEEP CHEROKEE BEARING OHIO REGISTRATION JBF9271 AND VEHICLE IDENTIFICATION NUMBER 1C4PJMCB0JD505613 AND UTILIZED BY EDDIE SMITH

- Delayed notice of 30 days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Lance Jardot
Applicant's signature

Lance Jardot, DEA Special Agent
Applicant's printed name and title

Sworn to before me and signed in my presence.

Date: 06/21/2021

City and state: Columbus, OH

Kimberly A. Johnson
Kimberly A. Johnson
United States Magistrate Judge


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

IN THE MATTER OF THE TRACKING OF
A BLACK 2018 JEEP CHEROKEE
BEARING OHIO REGISTRATION JBF9271
AND VEHICLE IDENTIFICATION
NUMBER 1C4PJMCB0JD505613 AND
UTILIZED BY EDDIE SMITH

Case No. 2:21-mj-426

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Lance Jardot, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant under Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 3117 to authorize the installation and monitoring of a tracking device on a **black Jeep Cherokee** bearing Ohio license plate number **JBF9271** and vehicle identification number **1C4PJMCB0JD505613** ("the SUBJECT VEHICLE"). Based on the facts set forth in this affidavit, I believe that the SUBJECT VEHICLE is presently being used in furtherance of **distribution and/or possession with the intent to distribute controlled substances** and that there is probable cause to believe that the installation of a tracking device in or on the SUBJECT VEHICLE and use of the tracking device will lead to evidence, fruits, and instrumentalities of the aforementioned crimes as well as to the identification of individuals who are engaged in the commission of those and related crimes.

2. I am a Special Agent with the **Drug Enforcement Administration (DEA)**, and have been since February of 2017. As such, I am an "investigative or law enforcement officer" of the United States within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States empowered by law to conduct criminal investigations and make arrests for offenses enumerated in 18 U.S.C. § 2516. I am empowered to investigate, to make arrests with or without

warrants and to execute search warrants under the authority of 21 U.S.C. § 878. I hold a Bachelor's Degree in Interdisciplinary Studies (Criminal Justice and Natural Sciences). Prior to being employed by the DEA, I was employed as a Special Agent with the Oklahoma Bureau of Narcotics (OBN). I have accumulated the following training and experience:

- I have completed the DEA Basic Agent Training Academy; Oklahoma Council on Law Enforcement Education and Training Basic Police Training Academy; Oklahoma Bureau of Narcotics Basic Narcotics Investigator's Course
- My specialized narcotics related training includes drug identification, interview and interrogation, managing informants, undercover operations, conspiracy investigation, surveillance and electronic monitoring techniques, tactical application of narcotics enforcement, search and seizure law, pharmaceutical diversion, clandestine drug labs, marijuana cultivation and money laundering investigations. I continue to receive training on a daily basis by conducting criminal narcotic investigations and drawing on the expertise of agents more experienced than myself.
- As a DEA Special Agent, my experience includes conducting and/or participating in criminal arrests, interviewing drug users, couriers and distributors, undercover drug buys involving both confidential sources and undercover law enforcement agents, conducting physical and electronic surveillance, trash seizures, authoring and executing search and seizure warrants.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended

to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. On June 4, 2021, the DEA Columbus District Office (DO) received an anonymous tip that Eddie SMITH, DOB: 04/05/1978, was conspiring with Matthew KELCH, DOB: 03/21/1997, to traffic large quantities of cocaine from Columbus, Ohio to Morgantown, West Virginia. Investigators learned that SMITH has a criminal history that includes Trafficking in Cocaine. KELCH does not appear to have a criminal history.

5. Investigators gleaned from the tip that KELCH usually transports the cocaine in his registered 2018 black Jeep Cherokee (the SUBJECT VEHICLE) due to his lack of criminal history, while SMITH follows behind KELCH in a rental vehicle. Database checks also reveal that SMITH's Ohio driver's license is suspended.

6. On June 17, 2021, investigators checked 6178 Northbend Drive, Canal Winchester, Ohio, a known address for SMITH, and observed the SUBJECT VEHICLE parked outside the address. Investigators observed SMITH exit that address and get into the driver's seat of the SUBJECT VEHICLE and depart the location. Investigators followed SMITH to another location where he parked the SUBJECT VEHICLE near a rental vehicle (records confirm this vehicle was rented by Aisha SMITH, Eddie SMITH's wife). SMITH appeared to be paying particular attention to an investigator's vehicle that was surveilling this location. The investigator observed KELCH appear from a nearby house and walk with SMITH towards the investigator's vehicle. The investigator departed the area to avoid contact with either suspect when SMITH jumped back into the SUBJECT VEHICLE and pursued the investigator at a high rate of speed. This continued for a couple of minutes until the investigator was able to successfully break the

line of sight between the two vehicles and SMITH turned around and headed back towards the direction from which he began the pursuit.

7. In order to track the movement of the SUBJECT VEHICLE effectively and to decrease the chance of detection, I seek authorization to place a tracking device in or on the SUBJECT VEHICLE while it is in the Southern District of Ohio. It may be necessary to enter onto private property and/or move the SUBJECT VEHICLE to effect the installation, repair, replacement, and removal of the tracking device. I therefore request authorization to enter onto private property to effect the installation, adjustment, repair, replacement, or removal of the tracking device. I further request authorization to enter the SUBJECT VEHICLE for the purpose of installing, maintaining, or removing the tracking device.

8. Based on investigators observations, I know that the SUBJECT VEHICLE is presently within the Southern District of Ohio.

9. To ensure the safety of the executing investigator(s) and to avoid premature disclosure of the investigation, it is requested that the court authorize installation, maintenance, and removal of the tracking device during both daytime and nighttime hours. Due to the surreptitious and cautious nature of drug traffickers, coupled with increased visibility during daytime hours by both drug traffickers and bystanders alike, it may prove unsafe and/or rouse suspicion to attempt the execution of this order during daytime hours.

10. In the event the Court grants this application, there will be periodic monitoring of the tracking device during both daytime and nighttime hours for a period not to exceed 45 days following issuance of the warrant. The tracking device may produce signals from inside private garages or other such locations not open to the public or visual surveillance.

AUTHORIZATION REQUEST

11. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 3117, that authorizes members of the Drug Enforcement Administration or their authorized representatives, including but not limited to other law enforcement agents and technicians assisting in the above-described investigation, to install a tracking device in or on the SUBJECT VEHICLE within the Southern District of Ohio within 10 days of the issuance of the proposed warrant, to maintain, repair, and/or replace the tracking device as necessary, and to remove the tracking device from the SUBJECT VEHICLE after the use of the tracking device has ended; to install, maintain, and remove the tracking device during both daytime and nighttime hours; to surreptitiously enter onto private property and/or move the SUBJECT VEHICLE to effect the installation, repair, replacement, and removal of the tracking device; and to monitor the tracking device for a period of 45 days following the issuance of the warrant, including when the tracking device is inside private garages and other locations not open to the public or visual surveillance, both within and outside the Southern District of Ohio.

12. In accordance with 18 U.S.C. § 3103a(b) and Federal Rule of Criminal Procedure 41(f)(3), I further request that the warrant delay notification of the execution of the warrant for 30 days after the end of the authorized period of tracking (including any extensions thereof) because there is reasonable cause to believe that providing immediate notification may have an adverse result, as defined in 18 U.S.C. § 2705. Providing immediate notice would seriously jeopardize the ongoing investigation by prematurely revealing its existence and giving suspects an opportunity to flee from prosecution, destroy or tamper with evidence, intimidate potential witnesses, notify confederates, and change patterns of behavior.

13. I further request that the Court seal the warrant and the affidavit and application in support thereof, except that copies of the warrant in full or redacted form may be maintained by the United States Attorney's Office and may be served on Special Agents and other investigative and law enforcement officers of the Drug Enforcement Administration, federally deputized state and local law enforcement officers, and other government and contract personnel acting under the supervision of such investigative or law enforcement officers, as necessary to effectuate the warrant. These documents pertain to and discuss an ongoing criminal investigation that is neither public nor known to all the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize the investigation. Sealing these documents will also better ensure the safety of agents and others.

Respectfully submitted,



Lance Jardot
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before me on this 21st day of June, 2021


Kimberly A. Tolson
United States Magistrate Judge

